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7 **UNITED STATES BANKRUPTCY COURT**  
8 **EASTERN DISTRICT OF WASHINGTON**

9 In re:

10 GIGA WATT, Inc., a Washington  
11 corporation,

12 Debtor.

Case No. 18-03197 FPC 11

Chapter 11

**NOTICE OF CHAPTER 11  
TRUSTEE'S MOTIONS FOR  
ORDERS (I) APPROVING  
STIPULATION PURSUANT TO  
LBR 9013-1(c)(3) AND (II)  
GRANTING EXPEDITED  
CONSIDERATION THEREOF**

16 **PLEASE TAKE NOTICE** that Mark D. Waldron, in his official capacity  
17 as the Chapter 11 Trustee, has respectfully moved (the "Motion") the Court  
18 pursuant to LBR 9013-1(c)(3) and LBR 4001-1 for entry of an Order (i) approving  
19 that certain *Stipulation Between the Chapter 11 Trustee and the Port of Douglas*  
20 *County Regarding the Lease, the Application of the Surety Deposit to the Claims*  
21 *of the Port of Douglas County, and the Modification of the Automatic Stay* (the  
22 \_\_\_\_\_

23 <sup>1</sup> Admitted *pro hac vice*.

1 “Stipulation”), a copy of which is attached to the Motion as **Exhibit A**, and (ii)  
2 reducing the time to object to the Motion to fourteen (14) days of the date of this  
3 Notice.

4 **PLEASE TAKE FURTHER NOTICE** that the Stipulation relates to the  
5 above-captioned Debtor’s lease with the Port of Douglas County (the “Port”)  
6 regarding the Debtor’s site at Pangborn, which is potentially the Debtor’s most  
7 valuable asset.

8 **PLEASE TAKE FURTHER NOTICE** that the Stipulation includes the  
9 following main components:

10 1. Stipulated relief from stay to allow the Port to apply a \$350,000  
11 surety deposit (the “Surety Deposit”) to the Port’s claims -- both past due and  
12 current, as discussed more fully below,

13 2. Extension of ninety (90) days for the Chapter 11 Trustee to assume or  
14 reject the Pangborn Lease, from March 19, 2019 to June 17, 2-19 (the “90-Day  
15 Extension Period”), subject to further extension upon the Port’s agreement,

16 3. Deferral of \$4,000 of the monthly rent due under the Pangborn Lease  
17 during the 90-Day Extension Period, but which is payable at the end of the 90-  
18 Day Extension Period; and

19 4. Commitment by the Chapter 11 Trustee to remove by March 31,  
20 2019, personal property that the Debtor left on land adjacent to the Pangborn Site  
21 that is administered by the Port.

1       **PLEASE TAKE FURTHER NOTICE** that in support of the Motion, the  
2 Chapter 11 Trustee is submitting with this Notice and has filed with the Court the  
3 *Declaration of Mark D. Waldron in Support of Chapter 11 Trustee's Motions for*  
4 *Orders (i) Approving Stipulation Pursuant to LBR 9013-1(c)(3) and (ii) Granting*  
5 *Expedited Consideration Thereof.*

6       **PLEASE TAKE FURTHER NOTICE** that pursuant to LBR 9013-  
7 1(c)(3)(A) the Chapter 11 Trustee is separately filing the Stipulation.

8       **PLEASE TAKE FURTHER NOTICE** that pursuant LBR 4001-1(d) the  
9 Chapter 11 Trustee is separately filing the *Notice of Stipulation to Modify*  
10 *Automatic Stay.*

11       **PLEASE TAKE FURTHER NOTICE** that if you oppose the Motion, you  
12 must file your written response with the Court Clerk, 904 West Riverside Ave.,  
13 Suite 304, Spokane, WA 99201, and deliver a copy to the undersigned WITHIN  
14 FOURTEEN (14) DAYS OF THE DATE OF THIS NOTICE OF MOTION AND  
15 MOTION.

16       **PLEASE TAKE FURTHER NOTICE** that in the Motion the Chapter 11  
17 Trustee is asking **for a reduction of the time to object to the Motion from**  
18 **twenty-one (21) days to fourteen (14) days.** The reduction in time to object to  
19 the Motion is necessary because the Port has required Court approval of the  
20 Stipulation by April 18, 2019. The Port is the Debtor's landlord's on the Pangborn  
21 site, which, as set forth in the Motion, is potentially the most valuable asset in this  
22 estate. The Chapter 11 Trustee has respectfully argued to the Court that the  
23 Stipulation is critical to the Chapter 11 Trustee's efforts to capture going concern

24 Notice of Chapter 11 Trustee's Motions  
25 for Orders (i) Approving Stipulation, etc. - Page 3

1 value for the benefit of creditors and all interested parties. Therefore, the Port's  
2 requirement of approval by April 18, 2019 necessitates expedited consideration of  
3 the Motion.

4 **PLEASE TAKE FURTHER NOTICE** that objections may be made to the  
5 Chapter 11 Trustee's request to reduce the period by which parties may object to  
6 the Motion.

7 **PLEASE TAKE FURTHER NOTICE** that if an objection is filed, the  
8 Court will consider your objections at the time of hearing on the Motion for the  
9 principal relief requested. You will receive separate notice of the time and  
10 location of the hearing on your objection and of the Motion.

11 **PLEASE TAKE FURTHER NOTICE** that the Court may enter an order  
12 without actual hearing or further notice unless a written objection is timely served  
13 and filed. If an objection is timely served and filed, you will receive notice of the  
14 date and time of a hearing on your objection.

15 Dated: March 29, 2019

CKR LAW LLP

16  
17 By: /s/ Paul H. Beattie  
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